**Regulated Industry gTLD GAC Safeguards Implementation**

**via a**

**Policy Advisory Board Model**

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**Introduction: This outline provides a mechanism by which the GAC safeguard advice for protecting the public interest can be implemented so that, as Internet users interact with domains at new “sensitive string” gTLDs associated with regulated industries and professions, they can be assured that the registrants are bona fide entities engaged in legitimate activities. The safeguards can be fully developed and implemented through the establishment of balanced and inclusive Policy Advisory Boards that can develop appropriate registrant eligibility criteria and registry policies -- that can then in turn be incorporated within enforceable Public Interest Commitments Specifications (PICS) for the registry.**

Guiding Principles

* Limit the primary role of regulated industry gTLD operators to technical management of the gTLD and implementation of policies established by the representative and inclusive Policy Advisory Board; operator shall not have a seat or vote on the Policy Advisory Board
* Ensure that registrant eligibility policies are inclusive, transparent, pro-competitive and non-discriminatory and serve the affected community and the general public, particularly Internet users of domain registrant services
* Recognize that national laws, especially those relating to cross-border e-commerce, have not kept pace with the explosive growth of the commercial Internet over the past 15 years, and that therefore additional measures are required to ensure that standard and acceptable practices guide new gTLD policies and protect the public interest
* gTLD manager shall be responsible for authenticating registrants in conformance with Policy Advisory Board established eligibility criteria
* Registrants shall be responsible for adhering to the policies established for the particular gTLD
* Ensure adoption of a standard and accepted model capable of custom configuration for each sensitive string/regulated industry or profession gTLD via Advisory Board determinations that protect the rights and specify the responsibilities for gTLD applicants and registrants and thereby assure rights equivalency and elimination of undue advantage
* All costs associated with establishing and operating a gTLD Policy Advisory Board shall be borne by the new gTLD applicant

Function

* To ensure that the protection and promotion of the public interest is furthered via the operation of a regulated industry/profession gTLD
* To ensure that new gTLD applicants for regulated industry gTLDs do not operate the registry in a manner that is antithetical to the overriding goals of competition and innovation
* To ensure that the Policy Advisory Board is inclusive of all affected parties and reflects global diversity, participation in the Board should be open to all parties with a demonstrated connection to the industry associated with the gTLD string. Such parties include regulators, wholesale and retail industry participants as well as their representative industry trade organizations, and consumer and public interest groups

Representation

* All regulated industry gTLDs shall establish an Policy Advisory Board to determine the policies of the registry, including registrant eligibility policies
* Such Policy Advisory Board shall be made up of 12 -18 representative members from the broad spectrum of affected parties, including, but not limited to, users, suppliers, distributors, regulators, and consumers of registrant services reflective of global diversity in its overall composition [sample representation list attached]
* Policy Advisory Board applicants who are not accepted due to numerical limitations shall have an opportunity to rotate on to the Policy Advisory Board as others rotate off at appropriate intervals, however all interested parties must be regularly apprised of Board activities and decisions with formal avenues for providing input and feedback

Appeals process

* Should any affected party feel that they are not adequately represented on the Policy Advisory Board, or feel that they are unduly rejected or barred from becoming a part of the Policy Advisory Board, or that the Policy Advisory Board is not meeting its obligations to the affected parties community, they shall have the right to take their grievance to neutral third party that will act as an Ombudsman to resolve the matter
* Should any potential applicant for the new gTLD be rejected or barred from registering a new gTLD, when they believe that they meet the applicable criteria, or that such criteria is unduly discriminatory, they shall have the right to take their grievance to a neutral third party that will act as an Ombudsman to resolve the matter.
* Any grievance brought before an Ombudsman shall be paid for by the new gTLD applicant and shall be free of costs for the aggrieved party

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